

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on March 15, 2007, and the references cited therewith.

Claims 4, 8, 9, 11-12, and 14-16 are amended, no claims are cancelled or added; as a result, claims 1-27 are now pending in this application.

Claims 14-16 are amended to correct a typographical error and not in response to any rejection and/or document provided in the Office Action.

Claim Objections

Claim 8 was objected to because of the following informalities: Claim 8 depended on claim 8. Applicant has amended claims 4, 8, and 11-12 to be in independent form including all of the limitations of the claims to which they depend.

Reconsideration and withdrawal of the objections to claims 4, 8, and 11-12 is respectfully requested.

§ 102 Rejection of the Claims

Claims 1-3, 5-7, 9-10, and 13 were rejected under 35 USC § 102(b) as being anticipated by EP Publication No. 0 466 499 to Downes et al. (hereinafter "Downes"). Applicant respectfully traverses the rejection as follows.

Applicant respectfully submits that Downes does not teach all the elements and limitations recited in independent claim 1. For example, Downes does not appear to teach a blister housing disposed on a host vehicle having a leading end, a trailing end and a payload area, the leading end aligned with a leading end of the host vehicle; an air inlet defined by the leading end of the blister housing, and an air channel connecting the air inlet to a power unit disposed within the blister housing, as provided in claim 1.

In the Office Action, it was asserted that,

Downes discloses in figs 1-2 the same airborne imaging system comprising a blister housing disposed on a host vehicle, the blister

housing having a leading end, a trailing end and a payload area, the leading end aligned with a leading end of the host vehicle (See Downes col. 1, lines 10-26), an air inlet defined by the leading end of the blister housing, an air channel connecting the air inlet to a power unit disposed within the blister housing (See Downes fig. 2, item 5 col. 4, lines 13-24), . . .

(Page 3). However, Downes appears to teach a projectile for firing toward a region to be surveyed. Within the body of the projectile appears to be a payload capsule and, incorporated within the projectile, an expulsion charge, where the projectile body splits when the expulsion charge is initiated, permitting the payload capsule to be ejected from the projectile body. (See Abstract).

It appears then, that Downes teaches a projectile that can house a payload capsule that contains a camera and a transmitter, among other things. Downes does not appear to teach, however, a blister housing disposed on a host vehicle including a leading end, a trailing end, and a payload area, the leading end aligned with a leading end of the host vehicle. Rather, it appears that Downes teaches a projectile that can be fired over an area to be surveyed without a host vehicle at all.

In addition, the Office Action appears to rely on the base bleed unit 5 to show that Downes includes an air inlet and an air channel. (Page 3). However, Downes appears to teach that the projectile body 1 includes, at its rear end, the base bleed unit 5, which is provided to extend the normal range of the shell body 1. (Col. 4, lines 15-19). Downes does not, however, appear to teach that the projectile body 1 includes an air inlet defined by the leading end of the blister housing and an air channel connecting the air inlet to a power unit disposed within the blister housing, as provided in independent claim 1.

Based on the foregoing, Applicant respectfully submits that Downes does not support a proper § 102(b) rejection of independent claim 1. Applicant respectfully requests reconsideration and withdrawal of the § 102(b) rejection for independent claim 1, as well as those claims which depend therefrom.

§103 Rejection of the Claims

Claim 27 was rejected under 35 USC § 103(a) as being unpatentable over Downes et al. (EP Publication No. 0 466 499). Applicant respectfully traverses the rejection as follows.

The Office Action states that "Downes is silent about providing a laptop receiver as specified in the claim." (Page 5). However, the Examiner takes Official Notice by stating "that such a computer is well known and commonly used because it offers portability." (Page 5).

Applicant respectfully submits that an airborne imaging system remotely connected to a laptop receiving station and a transmitter system that communicates a sensor output with a laptop receiving station, as provided in independent claim 27, is not well known in the art. If the Examiner chooses to maintain such a basis for rejection after review of Applicant's response, Applicant respectfully requests citation of a document(s) supporting such a statement.

In addition, as discussed above with respect to independent claim 1, it does not appear that Downes teaches a blister housing operably connected to a host vehicle, as provided in claim 27. Downes appears to teach a projectile that includes a payload tube; however, the projectile does not appear to be connected to any other vehicle.

As such, each and every element and limitation of independent claim 27 is not described, taught or suggested in Downes. Accordingly, reconsideration and withdrawal of the § 103 rejection of claim 27 is respectfully requested.

Allowable Subject Matter

Applicant notes with appreciation the allowance of claims 14-26. The Examiner is thanked for allowance of these claims.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 236-0121 to facilitate prosecution of this matter.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner of Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 15th day of June, 2007.

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